

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

:
Plaintiff,

:
vs. Case No. 3:10cr209

:
LARRY D. WALLING, JUDGE WALTER HERBERT RICE

:
Defendant.

DECISION AND ENTRY REVOKING BOND AND DETAINING
DEFENDANT PENDING SENTENCING, PURSUANT TO 18 U.S.C.
§ 3142 AND 3143; RIGHT OF APPEAL EXPLAINED AND UNDERSTOOD

This matter came before the Court on April 11, 2011. The Defendant, having pled guilty to a Bill of Information charging him with being a Felon in Possession of a Firearm, in violation of Title 18 U.S.C. §922(g)(1) and 924(a)(2), appeared in open Court for sentencing.

Pursuant to the record made at that time, sentencing could not go forward, given the Defendant's lack of cooperation with his attorney. Accordingly, for that reason, and for other reasons set forth upon the record, the Defendant's bond was revoked and the Defendant remanded to the custody of the United States Marshals Service pending sentencing which has been reset for April 28, 2011, at 3:00 p.m.

In revoking bond, this Court concludes that there exists no condition or

combination of conditions such as to guarantee the appearance of the Defendant when required and/or the safety of any other person and the community.

18 U.S.C. § 3142. Moreover, pursuant to 18 U.S.C. § 3143, the Defendant is pending sentencing and the Court cannot make a finding, by clear and convincing evidence, that Defendant is not likely to flee or pose a danger to the safety of any other person or the community, if released under § 3142(b) or (c).

Following the above captioned, the Defendant was orally explained his right of appeal, and he indicated an understanding of same.

April 15, 2011

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record
United States Marshal
United States Pretrial Services
United States Probation Department